

## Councilmember Daysog Notes\Comments\Questions For February 7, 2023 Meeting

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From: Tony Daysog (tdaysog@alamedaca.gov)

To: tony\_daysog@alum.berkeley.edu; tdaysog@alamedaca.gov

Date: Tuesday, February 7, 2023 at 03:54 AM UTC

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Hello Everyone!

Here are my comments and questions with respect to items on next Tuesday night's (2/7/2023) Alameda City Council agenda. As I indicated before, I am providing the media and the public (via my City Council Facebook page <https://www.facebook.com/groups/900493141120429>) advance copies of questions and comments I have (and in some cases staff responses) on items on the upcoming City Council agenda, in an effort to make City Hall even more transparent.

I also think giving staff my comments and questions one week ahead of the meeting gives them time to prepare complete and thorough responses. While I will still ask questions on the night of meetings, if at all possible I want to avoid theatrical "gotcha" type questions, because I believe it is in the public interest for staff and Council to have thoughtful discussions.

On a final note, as I've said before, this information is provided simply on a "FYI" basis, and is not intended to be a Letter to the Editor or an Op-Ed. And, I will always make sure to refrain from including any confidential information.

PS: I realize all of you are very busy so you might not have the time to go through matters below -- but what satisfies me is that, in regularly sharing these notes, I feel I am helping make our City Hall even more transparent and helping to keep the public informed.

/s/ Tony

Alameda Vice Mayor (2022-2024, 2002-2004, and 1998-2000)

**From:** Jennifer Ott

**Sent:** Friday, February 3, 2023 7:16 AM

**To:** Tony Daysog; Yibin Shen; Lara Weisiger

**Cc:** Allen Tai; Amy Wooldridge; Sarah Henry; Margaret O'Brien; Andrew Thomas

**Subject:** RE: Councilmember Daysog Notes\Comments\Questions For February 7, 2023 Meeting

Hello Councilmember Daysog:

Please find below staff responses to Agenda Items: 5-D and 5-F. We are still working on responses to 5-B, but wanted to get these two responses to you prior to our meeting at 9:30 this morning.

Thanks,  
Jennifer

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**From:** Tony Daysog <TDaysog@alamedaca.gov>

**Sent:** Tuesday, January 31, 2023 11:27 PM

**To:** Jennifer Ott <jott@alamedaca.gov>; Yibin Shen <yshen@alamedacityattorney.org>; Lara Weisiger <lweisiger@alamedaca.gov>

**Subject:** Councilmember Daysog Notes\Comments\Questions For February 7, 2023 Meeting

Note to Jennifer, Yibin and Lara: asterix (\*) denotes question for staff for night of 2/7/23. Double asterix (\*\*) means please provide email response: please do not feel a need to rush an email response. Everything else is just me thinking out loud. Also: since speed is of essence in preparing these comments, there will always be typos and grammatical errors -- apologies!

Also: if there is any agenda item that is quasi-judicial in nature, please let me know, so that I correctly discuss this matter when I post my notes to my City Council Facebook page

-- Tony

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Alameda City Council Meeting: February 7, 2023

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REGULAR CITY COUNCIL MEETING at 7:00 PM

0. Pledge of Allegiance

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1. Roll Call

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2. Agenda Changes

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3. Proclamations

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Item: 3-A

Topic: Season for Nonviolence Word of the Day: Gratitude

Link: <https://alameda.legistar.com/View.ashx?M=F&ID=11601726&GUID=413E46F1-FF85-453F-8CC3-3D13038436AE>

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Item: 3-B

Topic: Proclamation Declaring February 2023 as Black History Month

Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=6007545&GUID=F320294B->

[E478-4833-9501-0AAE4C17F77A](#)

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4. Oral Communications: 1st of 2

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5. Consent Calendar

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Item: 5A.

Topic: Minutes of the Joint City Council and Successor Agency to the Community Improvement Commission Meeting and Regular City Council Meeting Held on January 3, 2023.

Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=6007548&GUID=DECE4871-8A74-4DDD-AD9A-33DA99C2778E&FullText=1>

DAYSOG STAFF REPORT REVIEW:

-- Staff report sentences\phrases that seem interesting to Daysog

-- Attachment # sentences\phrases that seem interesting to Daysog

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:

1. Thank you!

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Item: 5-B

Topic: Bills for Ratification

Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=6007547&GUID=91B2DC34-D61B-4669-A4B2-F8FB74AE5FE0>

Attachment 1: Bills for Ratification <https://alameda.legistar.com/View.ashx?M=F&ID=11603218&GUID=3753BE1C-9E5F-4BFC-9A86-26B3F547AFE3>

DAYSOG STAFF REPORT REVIEW:

-- Staff report sentences\phrases that seem interesting to Daysog

-- Attachment 1 sentences\phrases that seem interesting to Daysog

". . . HNTB Corporation . . . \$232,140.59" . . . "professional services" . . . PDF 5 of 55

". . . AUSD . . . \$149,094.19" . . . "AUSD School tax" . . . PDF 12 of 55

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:

\*\*1. I thought government agencies were not levied taxes: can you provide brief 1-2 sentence background on \$149,094 AUSD school tax (PDF 12 of 55)

**AUSD - Not a tax, this is the remittance to AUSD of school impact fees collected by the city during construction permitting on behalf of AUSD.**

\*\*2. Please provide brief 1-2 sentence background on \$232,140 amount for HNTB Corporation (PDF 5 of 55)

**HNTB - Payment of invoices associated with the contract for HNTB Consulting for PID Phase Services for the Alameda-Oakland pedestrian bridge. The contract in an amount not to excess \$1.35 million was approved by the City Council on 7/12/2022.**

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Item: 5-C

Topic: Recommendation to Approve Findings to Allow City Meetings to be Conducted via Teleconference Through February 28, 2023

Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=6006960&GUID=24ED7384-E162-4C1F-8ADB-92C38DC54EE8&FullText=1>

DAYSOG STAFF REPORT REVIEW:

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". . . By the end of February all necessary procedures and trainings will be completed to accommodate hybrid meetings. The first City Council hybrid meeting will be March 7, 2023 and the February 27, 2023 Planning Board meeting will be conducted in the hybrid format as a test to confirm the technological aspects and procedures for a hybrid meeting."

". . . The Boards and Commissions which previously were not broadcast include: Civil Service Board, Golf Commission, Library Board, Pension Board, Public Art Commission, Public Utilities Board (PUB) and Social Service Human Relations Board (SSHRB). Alameda Municipal Power will manage and conduct hybrid meetings for the PUB at the Alameda Municipal Power facility. The remaining Boards and Commissions will utilize an adapted hybrid format since they are not held in Council Chambers or broadcast on television. These groups will be held in locations where Zoom capability is available, such as Room 360 at City Hall. "

-- Attachment # sentences/phrases that seem interesting to Daysog

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:

1. Thank you

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Item: 5-D

Topic: One-Year Agreement with CivicMakers, Substantially in the Form of the Attached Agreement

Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=6007546&GUID=C49839CD-066B-4204-B2E0-51E5A872ED08&FullText=1>

Attachment 1: Exhibit 1. Agreement <https://alameda.legistar.com/View.ashx?M=F&ID=11603221&GUID=7F784FA0-DA9B-4F2C-B581-1786EB3BF866>

DAYSOG STAFF REPORT REVIEW:

-- Staff report sentences/phrases that seem interesting to Daysog

". . . strategic planning process to identify the City Council's shared vision, strategic priorities

and projects and develop a strategic plan (Strategic Plan) for the next three years and beyond"

". . . tool for managing City financial and staff resources aligned with the City Council's priorities "

". . . Their approach to strategic planning includes gathering input from key stakeholders, such as the City Council and staff, then developing the vision statement, Council priorities and project list through facilitated City Council retreats."

". . . A draft Strategic Plan is created and shared to gather employee feedback and community input.

". . . That information is compiled into a Strategic Roadmap with prioritized projects and, ultimately, brought to the City Council for final review and approval."

-- Attachment 1 sentences/phrases that seem interesting to Daysog

". . . 1.4 Focus Group with Race & Equity Working Group" (PDF 15 of 50)

". . . The third and final component of the retreat will be a facilitated consensus-building exercise to identify the City's top priorities for the next three to five years" (PDF 17 of 50)

". . . After processing those results, we will invite Council members to engage in a dot voting or Fast to Five+consensus building exercise" (PDF 17 of 50)

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:

1. My first thought is, "How does a strategic plan covering four years align with my individual City Council responsibility to my constituents to address their concerns and needs if these concerns and needs are either not in the strategic plan to begin with, or excluded from the plan, or a very low priority?"

**The intent of the Strategic Plan is to provide a working document that guides staff's work based on Council priorities given limited staff and financial capacity. It is expected that the Plan will evolve and change throughout the three years and will need regular updating with the Council, in concert with staff. Essentially, I see the Plan as tool for addressing Council priorities while also balancing staff and financial resources. The Plan will incorporate existing and new projects proposed by both Council and staff. The process of developing the Strategic Plan, including the project list, will include significant opportunities for Council, staff and community feedback, culminating in a recommendation for Council approval of the Plan.**

**Nothing in the Plan limits a Councilmember from raising any issue or concern; submitting a referral; advocating for policies or programs that aren't in the Strategic Plan; or voting for or against any future agenda item.**

2. My second thought is I need to see examples of what is meant by the kind of strategic plan contemplated via this process. I can visualize, say, an economic development strategic plan, in which City Hall works to bolster and or attract certain industries and businesses, or City Hall creates certain goals and specific goal-related action steps meant to affect the build environment. In other words, it's hard for me to visualize the final product and how it can possibly be used with respect to achieving specific ends in terms of the outward-facing public services we render, such as public safety, economic development, Alameda Point redevelopment and leasing, recreational programming, housing, homelessness prevention and programming, library, etc., etc.

**Examples provided via separate email.**

**\*\*3. If I can get copies of their work that would be helpful.**

**Understood and provided.**

4. To me it seems when I am asked "what is your vision" my initial response is, "to fulfill the work I campaigned on": similar to the first question, "How does a strategic plan covering four years align with my individual City Council responsibility to pursue the agenda I set out to do?"

**As demonstrated in the examples provided, the Strategic Plan provides an opportunity for the City Council as a working body to create a collective vision for the City that can help guide staff's work given limited staff and financial resources. Nothing in the Plan infringes on your individual responsibility to pursue the agenda you set out to achieve or limits your ability to raise issues, submit a referral, or vote yes or no on any future agenda item. If anything, it creates an opportunity for your priorities and desired projects to be reflected in a Plan that helps guide staff's work. Also, the Plan is just one means of setting out priorities and projects; in fact, it is expected that some priorities and projects will shift and change throughout the time period.**

5. I think the 3rd component of the retreat needs to be re-thought: rather than "consensus-building exercise to identify the City's top priorities" (PDF 17 of 50) maybe "consensus-building exercise to identify the City's top priorities per each subject matter area, with the proviso that each Councilmember will in at least one of the subject matter area have their priorities as the top two, that way ensuring that the concerns of each Councilmember will be addressed." Thus, there should be at a minimum five subject matter areas, although in all likelihood, there can be much more.

**Agreed that projects and programs will be grouped by subject matter area or priority area determined by the Council (e.g, infrastructure or community safety). We will discuss the prioritization process with the consultant and make sure your concerns regarding all Councilmembers' priority projects being reflected in the Plan be raised as part of the retreat.**

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Item: 5-E

Topic: Central Avenue Safety Improvement Project

Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=6007543&GUID=E6A30125-0BF2-4D92-8668-DE518B71E284&FullText=1>

Attachment 1: Exhibit 1 - Cooperative Agreement <https://alameda.legistar.com/View.ashx?M=F&ID=11603220&GUID=C7F25719-4704-407D-9338-7B6B162514AD>

Attachment 2: Resolution <https://alameda.legistar.com/View.ashx?M=F&ID=11603219&GUID=EA88A19A-38B4-4975-890D-6EB0FE20FA62>

Attachment 3: Final Design <https://gather.cdmsmith.com/v/y2qm2KdR1wO>

Attachment 4:

**DAYSOG STAFF REPORT REVIEW:**

-- Staff report sentences/phrases that seem interesting to Daysog

". . . In December 2022, the City Council approved a CDM Smith contract amendment for the Central Avenue Project roundabout design, construction support and continued Caltrans coordination "

-- Attachment # sentences\phrases that seem interesting to Daysog

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:

1. Thank you

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Item: 5-F

Topic: Approving Vesting Tentative Tract Map No. 8654, to Subdivide a 4.1-Acre Property with Two Lots into 14 Lots and 90 Condominium Units at 2015 Grand Street

Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=6007542&GUID=47EEA779-4CDD-4E6C-8B07-FF8D25E8B42C&FullText=1>

Attachment 1: Exhibit 1 - Vesting Tentative Tract Map No. 8654 <https://alameda.legistar.com/View.ashx?M=F&ID=11603192&GUID=8531ACBF-5C12-4E94-A3EE-819C0C1EBAD0>

Attachment 2: Exhibit 2 - Project Plan <https://alameda.legistar.com/View.ashx?M=F&ID=11603482&GUID=DDF5E906-7DCB-4E8C-ADB7-4BACD56231EE>

Attachment 3: Resolution <https://alameda.legistar.com/View.ashx?M=F&ID=11603205&GUID=57E1AB70-35D2-4359-9E79-6F70C4CBB3A4>

Attachment 4:

DAYSOG STAFF REPORT REVIEW:

-- Staff report sentences\phrases that seem interesting to Daysog

" . . . On March 7, 2022 the applicant submitted a preliminary application under SB 330 for Design Review, Development Plan, Density Bonus, and Vesting Tentative Map approval to develop a 90-unit townhome development on the 4.1-acre former Pennzoil site at 2015 Grand St"

" . . . SB 330 prohibits the City of Alameda (City) from denying housing development applications with a low-income housing component when the project is consistent with objective development standards adopted at the time of preliminary application submittal "

-- Attachment 1 sentences\phrases that seem interesting to Daysog

-- Attachment 2 sentences\phrases that seem interesting to Daysog

-- Attachment 3 sentences\phrases that seem interesting to Daysog

" . . . As a project filed under SB330, Design Review consists of ministerial review according to adopted objective standards, rather than discretionary review against design guidelines."

" . . . %A Style+buildings are mostly stucco-clad with a fine sand finish and accent panels of fiber cement tongue and groove siding."

" . . . %B Style+buildings have the same layout and height as %A-Style+buildings and also use the ground floor as a separate base from the upper floors. The ground floors are clad in stone veneer with stucco panels and accents."

" . . . Overall, the building designs are consistent with the adopted objective design standards, and they provide a contemporary architectural style using building materials that are found in the existing neighborhood. Staff believes the proposed project is consistent with past Planning Board approvals that achieve architectural diversity that is complementary to the existing neighborhood. "

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:



\*\*1. Can we send this back to the Planning Board for re-design?

\*\*2. If we can send it back to the Planning Board for redesign, could we given direction to look at any specific feature of the project (e.g. the design of walls or windows)?

**The item going before City Council is the Vesting Tentative Tract Map for the project, which will create the new parcels and condominium units for the townhomes as well as dedicate land for the extension of Clement Avenue and widening of Hibbard Street. Review is focused on whether or not the map is consistent with the City's Subdivision Ordinance and the state's Subdivision Map Act.**

**The Planning Board's Design Review approval cannot be remanded back to them for further discussion and action as it is currently outside of the appeal/call for review period of their decision. Under state law the Design Review process for residential developments is ministerial rather than discretionary. This means decisions are to be based on whether or not a project meets the City's adopted Objective Design Review Standards. Whereas previously Design Review decisions could be discretionary, where decision makers could use their judgement to determine whether a project was aesthetically pleasing. On December 11, 2022 the Planning Board found the project meets the Objective Design Review Standards, which were originally adopted by the Planning Board in February 2020 and modified in February 2021. The appeal/call for review period for this decision ended on December 21, 2022.**

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6. Continued Agenda Items - Public comment and speaking times are determined based upon the prior meeting discussion

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7. Regular Agenda Item

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Item: 7-A

Topic: Winter Warming Shelter Agreement with Christ Episcopal Church to Increase the Funding Amount by \$53,385 for a Total Agreement Amount Not-to Exceed \$123,385

Link: <https://alameda.legistar.com/LegislationDetail.aspx?ID=6007544&GUID=051B1B0F-0BB8-4ED5-A8A3-9A0F2A8993C5&FullText=1>

Attachment 1: Exhibit 1 - First Amendment <https://alameda.legistar.com/View.ashx?M=F&ID=11603198&GUID=9F30556A-258B-433A-9CE6-06B63BBDD99A>

Attachment 2: Exhibit 2 - Original Agreement <https://alameda.legistar.com/View.ashx?M=F&ID=11603200&GUID=CF4F3C57-277D-43A6-9EB1-B6EB4F106704>

DAYSOG STAFF REPORT REVIEW:

-- Staff report sentences/phrases that seem interesting to Daysog

". . . to increase the funding amount by \$53,385 for a total amount not to exceed \$123,385"

". . . Christ Church opened its warming shelter on December 23, 2022. The warming shelter was originally scheduled to be open three nights per week on Monday, Wednesday and Friday evenings through April 30, 2023."

". . . offered \$9,000 toward this effort, in addition to their original \$20,000 donation"



". . . This will fund a total of 67 additional days"

". . . "

-- Attachment 1 sentences\phrases that seem interesting to Daysog

". . . By the 7th day of each month, Provider shall submit to the City an invoice for the total amount of work done the previous month. Pricing and accounting of charges are to be according to the fee schedule as set forth in Exhibit B-1 and incorporated herein by this reference" (PDF 1 of 25)

-- Attachment 2 sentences\phrases that seem interesting to Daysog

". . . The term of this Agreement shall retroactively commence on the 23 day of December 2022 . . ." (PDF 1 of 69)

". . . The total compensation for this Agreement shall not exceed \$70,000 . . ." (PDF 2 of 69) (\$70K + \$53,385 = \$123,385")

". . . 12. PROHIBITION AGAINST TRANSFERS " (PDF 5 of 69)

". . . 13. APPROVAL OF SUB-PROVIDERS" (PDF 6 of 69)

". . . vaccination requirement" (PDF 12 of 69)

". . . Exhibit A: Scope of Work" (PDF 13 of 69)

". . . reporting" (PDF 16 of 69)

---- OVERALL QUICK DAYSOG THOUGHTS \ QUESTIONS:

1. Thank you!

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8. City Manager Communications

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9. Oral Communications 2nd of 2

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10. Council Referrals

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11. Council Communications

-- AC Transit Meeting

-- Annual Women's Day March: March from City Hall to Southshore Shopping Center and Back

-- Alameda Oakland Airport Noise Forum

-- Martin Luther King Event January 21 at Beebe Memorial Cathedral

-- Bohol Circle Immigrant Park

